

**CITY OF FORT LAUDERDALE  
NUISANCE ABATEMENT BOARD MINUTES  
CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
THURSDAY, SEPTEMBER 10, 2015 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 3/2015 through 2/2016</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Dale Hoover, Chair	P	6	0
Cindy Smith, Vice Chair	P	5	1
Don Karney	P	5	1
Lorraine Saunders	P	5	1
Bob Wolfe	P	6	0
<b><u>Alternates</u></b>			
Douglas Meade	P	4	2
Gustav Schmidt	P	5	1

**Staff Present**

Det. Paul Maniates  
Don Londeree, Assistant City Attorney  
Joyce Hair, Board Clerk  
Bruce Jolly, Board Attorney  
Sgt. Luan Malushi  
Brigitte Chiappetta, Recording Clerk, Prototype Inc.

**Communication to the City Commission**

None.

**Index**

	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
1.	14-12-03	3031 Davie Blvd. - Food Plus	<a href="#"><u>2</u></a>
2.	15-02-01	1512 NW 19 <sup>th</sup> St., Kwik Stop	<a href="#"><u>2</u></a>
3.	15-06-02	621 NW 13 Terrace, Pierre Kudrum, owner	<a href="#"><u>3</u></a>
4.	15-06-03	1022 NW 2 Avenue, Ushan Mamun, owner	<a href="#"><u>4</u></a>
5.	15-08-04	701 NW 21 Terrace, Otis Payne	<a href="#"><u>4</u></a>
6.	15-08-05	418 NW 13 Avenue, Tanisha Webb	<a href="#"><u>6</u></a>
		Board Discussion	<a href="#"><u>8</u></a>
		Communication to the City Commission	<a href="#"><u>8</u></a>

**Purpose:** Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending or repeated violation continues to exist.

**Call meeting to order; Pledge of Allegiance**

The meeting was called to order at 7:01 p.m.

**Roll call; witnesses sign log; swearing in**

Ms. Chiappetta called roll and determined a quorum was present.

**Witnesses were sworn in.**

**Approval of Minutes for July 2015**

**Motion** made by Ms. Smith, seconded by Mr. Wolfe, to approve the minutes of the Board's July 2015 meeting. In a voice vote, the motion passed unanimously.

**Cases:**

**1. Case Number 14-12-03**

**3031 Davie Blvd.**

**Food Plus**

- **Notice of Status Hearing**

[Index](#)

Det. Maniates reported the owner of the property was Sunshine State Holdings/Mateen Khan, who had received notice of this hearing on 7/20/15. In the past 60 days, there had been four calls for service to the property, none of which was nuisance related. The property was in compliance and he recommended a status hearing for November 2015.

Chair Hoover opened the public hearing portion of the meeting. There were no members of the public wishing to address the Board on this matter.

**2. Case Number 15-02-01**

**1512 NW 19 Street**

**Kwik Stop**

- **Notice of Status Hearing**

[Index](#)

Det. Maniates stated the property owner was Dajani Family Holdings. Jerry Dajani had received legal notice of the hearing on 7/20/15.

Det. Maniates reported there had been eight calls for service to the property in the past 60 days, none of which was nuisance related. Det. Maniates said the detail officer was present if the Board had questions. The property was in compliance and he recommended a status hearing for October 2015.

Chair Hoover opened the public hearing portion of the meeting.

Edna Elijah, Lauderdale Manors Homeowners Association, reported the owner had been attending their meetings and members complemented him on the changes they had seen.

Linda Socolow, the owner's attorney, confirmed the owner had hired an off-duty Police Officer Thursday through Saturday and they were requesting an increase in the hours of operation and/or a reduction of the Police Officer's hours.

Officer Luan Malushi felt it was appropriate to reduce his hours at the store now. He noted there had been no nuisance-related calls for service to the property recently. He had spoken with the owner about this and advised him that he should still maintain the security guard and Mr. Dajani had agreed.

There were no other members of the public wishing to address the Board on this matter.

**Motion** made by Mr. Karney, seconded by Ms. Smith, to allow a security guard to take the place of the Police Officer currently employed at the property. In a roll call vote, motion passed 5-0.

3.     **Case Number 15-06-02**  
       **621 NW 13 Terrace**  
       **Owner: Pierre Kudrum**  
          •   **Notice of Status Hearing**

[Index](#)

Det. Maniates stated the property owner was Pierre Kudrum. Mr. Kudrum had received legal notice of the hearing on 7/20/15. Mr. Kudrum's father was present to represent him.

Det. Maniates reported there had been three calls for service to the property in the past 30 days, none of which was nuisance related. Det. Maniates reported the owner had been in constant contact and had evicted the tenant who had been caught selling flakka at the property. The property was in compliance and he recommended a status hearing for October 2015.

Chair Hoover opened the public hearing portion of the meeting. There were no members of the public wishing to address the Board on this matter.

**4. Case Number 15-06-03**

[Index](#)

**1022 NW 2 Avenue**

**Owner: Ushan Mamun**

- **Notice of Status Hearing**

Det. Maniates stated the property owner was Ushan Mamun. Mr. Mamun had received legal notice of the hearing on 7/29/15. Mr. Mamun's father was present to represent him.

Det. Maniates reported there had been one call for service to the property in the past 60 days, which was not nuisance related. Det. Maniates reported the owner had recently re-rented the home. He said he had been in contact with the owner, who provided him with photos of the improvements he had made to the property. The property was in compliance and he recommended a status hearing for November 2015.

Mohammed Mamun, the owner's father, reported they had performed a background check on the new tenant and he had signed the lease addendum.

Chair Hoover opened the public hearing portion of the meeting. There were no members of the public wishing to address the Board on this matter.

**5. Case Number 15-08-04**

[Index](#)

**701 NW 21 Terrace**

**Owner: 20109U LLC/Otis Payne**

- **Notice of Evidentiary Hearing**

Det. Maniates testified that the owner of the property, Otis Payne, had received legal notice of the hearing on 8/17/15. Mr. Payne was present with his property manager. In the past six months, there had been 28 Police calls to the property, five of which were nuisance related.

Det. Maniates reported that on 5/6/15, a confidential informant had purchased \$20 worth of flakka; on 5/12/15, a confidential informant had purchased \$20 worth of flakka; on 5/26/15, a confidential informant had purchased \$60 worth of flakka; on 5/26/15, an undercover detective had purchased \$40 worth of flakka. On 6/9/15, a search warrant was executed and an arrest had been made for possession with intent to sell flakka and for possession of a firearm by a convicted felon. Det. Maniates displayed photos of the property.

Det. Maniates had discussed the Police recommendations with the owner and had met with the property manager, who lived at the property and both had been very

cooperative and agreed to work with Det. Maniates and the Board. The owner had stipulated the property was a nuisance and to all the Police recommendations.

Mr. Payne explained that the property was a rooming house with shared bathrooms. The person who had been arrested had paid his rent in cash.

**Motion** made by Mr. Wolfe, seconded by Ms. Smith to declare the property a nuisance. In a roll call vote, motion passed 5-0.

Det. Maniates reviewed the Police recommendations.

#### **Police Recommendations**

1. The owner will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post a laminated No Trespassing sign on the property within ten days and thereafter enforce trespassing laws.
2. The owner will clearly display, within ten (10) days and for the duration of jurisdiction, in the front of the property, a laminated sign measuring 16"x20" stating that the property is under the jurisdiction of the Nuisance Abatement Board and is being monitored by the Fort Lauderdale Police Department
3. The owner will adopt and enforce the Drug Lease Addendum and permitting eviction for drug related activities for all new tenants and renewals.
4. The owner will trim all bushes, remove any trash and or discarded items (household and landscape) from the exterior of the property within ten (10) days. The owner will maintain the property free of debris.
5. The owner will install and maintain outdoor lighting to illuminate any and all dark areas of the property with the direction of the investigative detective within ten (10) days.
6. The investigative costs total a dollar amount of \$3,158.72. The owner(s) is assessed 25% of this amount, which equals \$789.68. Payment of \$789.68 is due before the October 8, 2015 Nuisance Abatement Board Meeting. If no meeting occurs in October, then prior to the next scheduled Nuisance Abatement Board Meeting.
7. The property owner will conduct property checks at this location every two weeks to assess the condition of his property and notify FLPD with any concerns.
8. The owner will appear before the Nuisance Abatement Board at the October 8, 2015 Nuisance Abatement Board Meeting (or, if no meeting occurs, then at the succeeding Nuisance Abatement Board meeting) for a Status Hearing.
9. If any of the above listed items are not complied with within the time frame(s) set forth, a fine in the amount of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of non-compliance.
10. The Nuisance Abatement Board will retain jurisdiction over the property for a period of (1) year from the date of this order.

Ms. Smith was concerned that the remaining tenants were flakka users. Mr. Payne said his property manager had reported no issues with other tenants. The property manager had also agreed to get the tenants to sign the drug addendum in the next few days.

**Motion** made by Mr. Wolfe, seconded by Ms. Smith, to accept the Police recommendations for the property. In a roll call vote, motion passed 5-0.

**6. Case Number 15-08-05**  
**418 NW 13 Avenue**  
**Owner: Tanisha Webb**

[Index](#)

- **Notice of Evidentiary Hearing**

Det. Maniates testified that the owner of the property, Tanisha Webb, had received legal notice of the hearing on 8/29/15. The property manager, Andre Barrett, was present. In the past six months, there had been 21 Police calls to the property, six of which were nuisance related.

Det. Maniates reported that on 4/28/15, a confidential informant had purchased \$20 worth of flakka; on 4/30/15, a confidential informant had purchased \$20 worth of flakka; on 6/10/15, a confidential informant had purchased \$20 worth of flakka; on 6/25/15, a confidential informant had purchased \$20 worth of flakka and on 7/2/15 a confidential informant had purchased \$20 worth of flakka. On 7/2/15, a search warrant was executed and two arrests had been made for possession with intent to sell flakka and MDMA. Det. Maniates displayed photos of the property.

Det. Maniates had met with the property manager, who agreed to work with him.

Mr. Londeree had also spoken with the property manager, who indicated he wanted to submit to the Board's jurisdiction but would request a reduction of the fees.

Mr. Barrett explained that the property owner was working. He said the tenants in apartment #1, which had been raided, were being evicted. Mr. Barrett said he visited the property once or twice per month and agreed he needed to visit more often.

Det. Maniates read the Police recommendations:

**Police Recommendations**

1. The owner will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post a laminated No Trespassing sign on the property within ten days and thereafter enforce trespassing laws.
2. The owner will clearly display, within ten (10) days and for the duration of jurisdiction, in the front of the property, a laminated sign measuring 16"x20"

stating that the property is under the jurisdiction of the Nuisance Abatement Board and is being monitored by the Fort Lauderdale Police Department

3. The owner will adopt and enforce the Drug Lease Addendum and permitting eviction for drug related activities for all new tenants and renewals.
4. The owner will trim all bushes, remove any trash and or discarded items (household and landscape) from the exterior of the property within ten (10) days. The owner will maintain the property free of debris.
5. The owner will install and maintain outdoor lighting to illuminate any and all dark areas of the property with the direction of the investigative detective within ten (10) days.
6. The owner will conduct a criminal records check of each tenant prior to renting the residence.
7. The property owner will conduct property checks at this location every two weeks to assess the condition of his property and notify FLPD with any concerns
8. The investigative costs total a dollar amount of \$4,025.06. The owner(s) is assessed 25% of this amount, which equals \$1,006.27. Payment of \$1,006.27 is due before the October 8, 2015 Nuisance Abatement Board Meeting. If no meeting occurs in October, then prior to the next scheduled Nuisance Abatement Board Meeting.
9. The owner will appear before the Nuisance Abatement Board at the October 8, 2015 Nuisance Abatement Meeting (or, if no meeting occurs, then at the succeeding Nuisance abatement meeting) for a Status Hearing.
10. If any of the above listed items are not complied with within the time frame(s) set forth, a fine in the amount of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of non-compliance.
11. The Nuisance Abatement Board will retain jurisdiction over the property for a period of (1) year from the date of this order.

Det. Maniates said the owner stipulated that the property was a nuisance.

**Motion** made by Mr. Wolfe, seconded by Ms. Smith, to declare the property a nuisance. In a roll call vote, motion passed 5-0.

Mr. Barrett agreed with all recommendations except #8; he requested the fee be reduced to 10% because prior to receiving the warning letter, he had been proactive and applied for a City trespass affidavit to prevent loitering at the property. After the raid, he had immediately begun eviction proceedings against the tenant. Mr. Barrett said he had never been aware that the owner would be assessed the investigative costs and if he had known, he would have evicted all tenants.

Mr. Wolfe said he appreciated Mr. Barrett's position, and said the reduction to 25% of the investigative costs instead of 50% recognized his cooperation.

Ms. Smith remarked on the flakka epidemic and felt Mr. Barrett should have acted more swiftly when he saw loitering on the property. Mr. Barrett said he had also already trimmed trees at the property.

Mr. Barrett said an older couple had rented the apartment and he had realized they were no longer at the apartment and someone else was occupying it after the Police alerted him to the drugs on the property.

Det. Maniates stated he had advised Mr. Barrett not to put up the no trespassing signs for fear they could impeded the ongoing investigation at the property.

Mr. Barrett asked the Board to postpone a finding regarding the fine until the next meeting to give him time to comply with all of the recommendations and Chair Hoover explained that if the property was not in compliance by the next meeting, the owner would be charged \$250 per day.

**Motion** made by Mr. Wolfe, seconded by Mr. Karney, to accept the Police recommendations for the property. In a roll call vote, motion passed 5-0.

Chair Hoover suggested the owner could be given four months to pay the \$1,006.27 and Det. Maniates said he would not oppose that. No motion was made.

#### **Board Discussion**

None.

[Index](#)

#### **Communication to the City Commission**

None.

[Index](#)

#### **Adjournment**

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:55 PM.

#### **Next Meeting: October 8, 2015**

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.